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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|--|---------------------------|------------------|
| 10/055,361 | 01/23/2002 | Dominicus Martinus Wilhelmus Leenaerts | NL 010030 | 9266 |
| 24737 | 7590 | 02/02/2004 | | |
| PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510 | | | EXAMINER TRA, ANH QUAN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2816 | |

DATE MAILED: 02/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,361

Applicant(s)

LEENAERTS ET AL.

Examiner

Quan Tra

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/04/03 has been entered. A new ground of rejection is introduced.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by VorenKamp et al. (USP 628865).

As to claim 1, VorenKamp et al. discloses in figure 27 a tunable radio frequency (RF) band-pass filter (2506) provided with field effect (FET) capacitors (plurality of transistors 2702s and plurality of transistors 2704s that receiving signals 2526) arranged for controlling their respective capacity values, each such FET capacitor having a source and drain, characterized in that the source and the drain of each FET capacitor are coupled to one another, the tunable RF band-pass filter including an arrangement for turning the tunable RF band-pass filter by

Art Unit: 2816

selectively (by signals 2526) controlling the voltage dependent capacitor values of the FET capacitors, the tunable RF band-pass filter transforming an RF input impedance at a filter input (IP, In) to an RF output impedance at a filter output (Qp, Qn)

As to claim 2, figure 27 shows each FET capacitor has a control input for voltage dependent capacity value control.

As to claim 3, it is inherent that the tuning arrangement is provided with a control means (circuit, not shown, that generating signals 2526) coupled to FET capacitor control inputs.

As to claim 4, figure 27 shows the FET capacitors are split in equally controlled pairs of FET capacitors.

As to claim 5, figure 27 shows that the filter is built as a symmetrical filter having symmetrical input (Ip, In) and symmetrical output (Qp, Qn).

As to claim 6, figure 27 shows two or more FET capacitors are connected in series.

As to claim 7, figure 27 shows the FET capacitors are metal oxide semiconductor (MOSFET) capacitors.

As to claim 8, figure 27 shows a transmitter, receiver, or transiver having a tunable radio frequency (RF) band-pass filter, which the tunable radio frequency band-pass filter figure is provided with field effect (FET) capacitor (2702s and 2704s) arranged for controlling their respective capacity values, each such FET capacitor having source and drain, characterized in that the source and the drain of each FET capacitor are coupled to one another, the tunable radio frequency band-pass filter including an arrangement for tuning the filter by selectively controlling the voltage dependent capacitor values of the FET capacitors.

Art Unit: 2816

As to claim 9, figure 27 shows an input (Ip, In) to the filter is coupled to a series arrangement of pairs of FET capacitors.

As to claim 10, figure 27 shows the series arrangement of pairs of the FET capacitors are split in equally controlled pairs of the FET capacitors.

As to claim 11, the circuit figure 27 having a decoder (circuit, not shown, that provide signals 2526) coupled to the gate of each of the FET capacitors.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quan Tra whose telephone number is 703-308-6174. The examiner can normally be reached on 8:00 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 703-308-4876. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Quan Tra
Patent Examiner
January 29, 2004